

MINUTES OF THE REGULAR MEETING OF
THE TOWN COUNCIL OF THE TOWN OF
GOLDEN BEACH, FLORIDA

January 21st, 1958

The regular meeting of the Town Council of the Town Of Golden Beach, Florida, was held on Tuesday, January 21st, 1958, at 9:30 o'clock in the morning at the Town Hall. Upon roll call the following members were found to be present constituting a quorum of the Members of the Council.

Council President
Councilmen

-Mr. Joseph R. Missett
-Mr. Anthony J. Gocking
-Mr. Ralph E. Hough
-Mr. N. B. Ornitz

Also present: Town Attorney

-Mr. Francis W. Miller

The Mayor, Mr. Burt Hengeveld and Councilman Mr. Fred Zollner, being out of Town were not able to be present at this meeting.

The following Residents attended the meeting as Visitors:

Mr. H. G. McIlwried, Mr. R. E. Berrison, Mr. Ed Marger, Mr. N. Nobil, Mr. R. H. Higginson, Mr. L. Vernarelli, Mr. B. Elkind, Mr. P. H. Goldsmith, Mr. George H. Draper, Jr., Mr. N. Berkos and Mrs. Mae P. Goyas.

The meeting was called to order by the President, Mr. Joseph R. Missett, who acted as Chairman of this Meeting and Mrs. Laurita Chapman acted as Secretary.

The President, Mr. Joseph R. Missett, called upon the Secretary who presented to each Member of the Council copies of the Minutes of the regular Meeting of the Town Council held on December 17th, 1957 and upon review of these minutes by the Members of the Council, a motion was made by Councilman Anthony J. Gocking, seconded by Councilman N. B. Ornitz, and unanimously carried that the reading of these Minutes be waived and accepted as is.

The Secretary presented the cash report of the General Fund and a Cash Analysis of the other funds of the Town Of Golden Beach for the month of December, 1957. These cash reports, upon motion by Councilman N. B. Ornitz, seconded by Councilman Ralph E. Hough, were approved and ordered attached to these Minutes and made a part hereof.

The President, Mr. Joseph R. Missett, reported that a letter had been received from Councilman Mr. Fred Zollner stating his regrets at not being able to be present at this Meeting due to urgent business commitments. He thereupon called upon the Commissioner of Parks and Public Buildings, Councilman Ralph E. Hough, who reported that the recent heavy rain storms had caused considerable damage to the newly planted shrubbery on the parkway on Ocean Boulevard and that when weather conditions improve, arrangements will be made to have the damaged shrubbery replaced.

The Town Attorney, Mr. Francis M. Miller, reported that during the past several years at various council meetings, certain Residents of the Town had requested that the Town make arrangements to have a community swimming pool installed in the Town for the use of the Residents and that in January 1952 he had advised the Members of the Council that since the Charter of the Town does not authorize such an installation, the Town could allow such an undertaking if it would be paid for by public subscription. He further stated that he had prepared a letter which he read addressed to the Members of the Council advising them that due to the change in public sentiment, the Courts now are inclined to allow municipalities to engage in functions of this type. He explained what the Charter of the Town calls for and the deed restrictions imposed upon all the property in Golden Beach by the subdivider which restrictions must be enforced and since no provision is made for the construction of a swimming pool, the Members of the Council could grant a variance in this regard, as the Town has available certain lots within its limits which could be used for this purpose providing that waivers are secured from the owners of properties surrounding these lots and a referendum is called on this matter.

It was brought to the attention of the Members of the Council and the visiting audience by the Town Attorney, Mr. Francis M. Miller, that the Town Of Golden Beach will be Thirty Years old this May; that in April of 1928 there appeared in the Miami Daily Record, a Notice that such a Municipality is to be formed and that all registered voters of Dade County residing within the subdivision of Golden Beach are to meet in May, 1928 to select officers and organize a Municipal Government. Twenty-Five persons were on hand at this first meeting which was the required number to form a township and a Year later the Town received its charter which charter is still in effect in its original form except for one amendment and it is the only charter that contains a provision that allows the people of Golden Beach to participate in a Town election if they have resided in the Town for Thirty days prior to such election.

The Town Attorney, Mr. Francis M. Miller, reported that the law suit that the Town Of Golden Beach has against Dr. G.C. Menninger for violation of the Town's Building Code is scheduled for a hearing on Monday, February 17th, 1958 and that the Town should have on hand witnesses, photographs of the Menninger Residence and other pieces of evidence for that day.

The Commissioner of Public Streets and Lighting, Councilman N. B. Ornitz, reported that several complaints had been received about water remaining on the street near the bridge on Centre Island during and after a rain storm and that a similar condition exists at the north end of Town on North Bay Drive and at the end of Terracini Avenue. Drains are to be installed at the latter two places this summer when most of the Residents are away from the Town so as to cause as little inconvenience to them as possible. The condition that exists on Centre Island is of a peculiar nature as a drainage system had been installed there and that after making a thorough study of this matter, it appeared that the only way to correct this condition was to either raise the entire street on Centre Island to an elevation where the water would drain off regardless of the tide or raise that portion of the street near Centre Island bridge, remove the present drain and install another one reversing the flow of the drain water as it was discovered that the tide is lower on one side of the Island than on the other. Councilman N. B. Ornitz further stated that the

Later proposition would be less costly than the first and it was his opinion that it would be most adequate when completed and he ask that the Members of the Council consider having this work done in this manner. The cost of this work and the time that it would be done was then discussed; Councilman N. B. Ornitz stating that it would cost approximately \$1,700 and that this work would not be started before the end of May or the first week in June. A Resident, Mr. H. G. McIlvried, stated that this condition on Centre Island has been a great nuisance to both he and his wife as each time after a rain they were forced to walk thru water in order to cross Centre Island bridge and he certainly was in favor of having an adequate drainage system installed there. Mr. N. Berkos, Resident, stated that the soil on Centre Island has settled considerably as both he and his neighbors had to have their property raised in order to prevent the rain water from remaining on it and he was in favor of having this work done. Since no provision had been made in the current budget for this expenditure, it was agreed upon motion by Councilman Ralph E. Hough, seconded by Councilman Anthony J. Gocking, that if funds are available in the general fund at the time that this work is scheduled to begin, Councilman N. B. Ornitz is to make arrangements to proceed with this work.

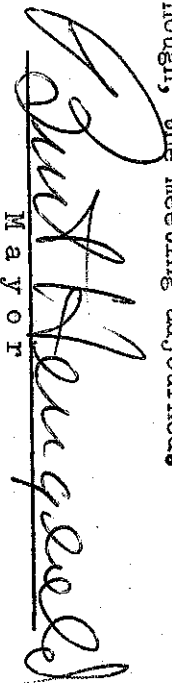
A Resident, Mr. Ed Marger, upon request, was granted permission to take the floor as he had to leave the Council Meeting early due to an important business appointment. Mr. Marger stated that some of the equipment at the playground is very badly in need of repairs and that there are deep holes in the soil at the edge of the playground which conditions make it very unsafe for children who use these facilities. The Council President, Mr. Joseph R. Missett, thanked Mr. Marger for his interest in the Town's welfare and stated that this matter would be turned over to the Commissioner of Parks and Public Buildings and the Town Manager for their immediate attention and action. Mr. Ed Marger further stated that he wished to commend the Council President, Mr. Joseph R. Missett for the excellent letter that was sent to all the Residents asking that they support the amendment to the Metro Charter which is to be voted on shortly in Dade County. He further suggested that since the Mayor and the Council Members do not receive any compensation for their services, it would be very good publicity if this were made a known factor in connection with this election. The Members of the Council agreed that such publicity would be very good in this regard and upon motion by Councilman N. B. Ornitz, seconded by Councilman Ralph E. Hough, it was decided that the Council President, Mr. Joseph R. Missett, make arrangements for such publicity.

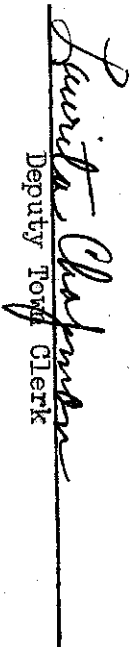
The Secretary was requested to read two letters, one from Bal Harbour Village thanking the Town for their wonderful contribution to the Lt. Robert Steab Fund and one from the United States Post Office addressed to Honorable Burt Hengeveld, Mayor Of Golden Beach, concerning the mail delivery service to patrons in Golden Beach, stating that every effort would be made to provide the best service possible. Councilman Anthony J. Gocking, reported that he has been working on this matter as there was no apparent reason why the regular mail carrier can deliver mail in the morning to the Residents of Golden Beach and the substitute mail carrier is not able to make his deliveries until the afternoon.

The Town Manager, Mr. R. H. Kulken, reported that he with the Commissioner of Parks And Public Buildings, Councilman Mr. Ralph E. Hough have been working on a plan to have trash boxes installed throughout the Town. For experimental purposes, five such boxes have been installed in the Town and if the Gardeners who work in the Town can be educated to make use of these boxes for the disposal of their trash, more such boxes will be purchased. These boxes will be very attractive in appearance and if this plan can be adopted, it will eliminate the necessity of having unsightly heaps of debris and also expedite the handling of such trash by the Town Maintenance Department.

The Council President, Mr. Joseph R. Nissett, reported that several complaints have been received about dogs being allowed to run at loose throughout the Town and since the Town has an Ordinance which prohibits the running of dogs at large, he suggested that the Residents of the Town be appraised of this Ordinance by having a notice to this effect be placed in the next Town Bulletin, which suggestion met with the full approval of the Members of the Council.

There being no further business to come before the Members of the Council at this Meeting, upon motion by Councilman Anthony J. Gocking, seconded by Councilman Ralph E. Hough, the meeting adjourned.


MAYOR


Deputy Town Clerk

TOWN OF GOLDEN BEACH, FLORIDA

CASH REPORT OF DEPUTY TOWN CLERK - FOR THE MONTH OF JANUARY 31st, 1958

Cash Balance January 1st, 1958 - GENERAL FUND
 In the Miami Beach First National Bank \$ 51,438.17

Budget Receipts
1957 Taxes Collected \$ 4,790.74
 Less Tax Discount Allowed 93.82
 Rent For Post Office \$ 4,696.92
125.00

Other Receipts
Refund: Storm Damage to Police Car \$ 56.00
 Commissions on Pay Telephone 4.95
 Income Taxes Withheld 203.00
 Social Security Collected 84.48
\$ 348.43
 TOTAL \$ 56,608.52

Cash Disbursements \$10,616.84
Budget Disbursements 857.88
 Non-Budget Disbursements
 Total Disbursements \$ 11,474.72

Cash Balance January 31st, 1958 \$ 45,133.80
 On Hand in the Miami Beach First National Bank

Percent to
Total

Total 1957 Tax Roll \$81,685.34
 Taxes Collected thru January 31st, 1958 \$77,361.72
 Unpaid Taxes at January 31st, 1958 \$ 4,323.62
100.00%
94.70%
5.30%

FINE AND FORFEITURE FUND
 Deposits thru January 31st, 1958
 In the American National Bank \$ 8,978.66

BUILDING FUND - RESIDENCES
 Deposits thru January 31st, 1958
 In the American National Bank \$ 260.00

TOWN OF GOLDEN BEACH, FLORIDA
 ANALYSIS OF CASH DISBURSEMENTS - GENERAL FUND
 FOR THE MONTH OF JANUARY, 1958

<u>Budget Disbursements</u>	
Landscaping Upkeep - Salaries and Wages	\$ 1,636.40
Landscaping Upkeep - Other Expense	662.75
<u>Police Services</u>	
Salaries	\$ 1,380.00
Radio Service	60.00
Equipment Purchases	1,954.62
Equipment Repairs	40.83
Equipment - Other Repairs	334.95
Repairs And Maintenance	
Beach	28.90
Public Buildings	74.76
Streets	186.79
Audit	1,190.00
Debt Service - Interest	300.00
New Bridge Construction Work	900.00
Gasoline And Oil	328.03
Insurance	30.00
Lighting	340.28
Office Expenses	45.00
Office Supplies	28.85
Sanitation	33.02
Social Security	197.66
Telephone Service	46.75
Town Clerk's Office	310.00
Town Manager's Salary	476.00
Water	7.50
Miscellaneous Expense: Washroom Supplies	23.75
Total Budget Disbursements	\$10,616.84
<u>Non-Budget Disbursements</u>	
Return: Employees Income Taxes Withheld	\$ 648.80
Social Security Collected	209.08
Total Non-Budget Disbursements	\$ 857.88
TOTAL DISBURSEMENTS	\$11,474.72

TOWN OF GOLDEN BEACH, FLORIDA

CASH ANALYSIS OF OTHER FUNDS FOR JANUARY, 1958

Cash Balance, January 1st, 1958 - Municipal Improvement Lien	\$ 5,021.39
Certificate of Indebtedness Fund	
In the Miami Beach First National Bank	
Cash Disbursements	None
Cash Balance January 31st, 1958 - - - - -	<u>\$ 5,021.39</u>

Cash Balance, January 1st, 1958 - Municipal Improvement Lien	
See Wall Bond Fund	
In the Miami Beach First National Bank	
Cash Disbursements	\$ 5,590.54
Cash Balance January 31st, 1958 - - - - -	None
	<u>\$ 5,590.54</u>

LAW OFFICES

MILLER AND MILLER

FRANCIS M. MILLER
GRAHAM C. MILLER
ARMAND J. BRISSETTE, JR.

FOURTEENTH FLOOR DUPONT BUILDING
MIAMI 32, FLORIDA

January 21, 1958

The Honorable Town Council
of the Town of Golden Beach
Golden Beach, Florida

Subject: Construction of Community Swimming Pool

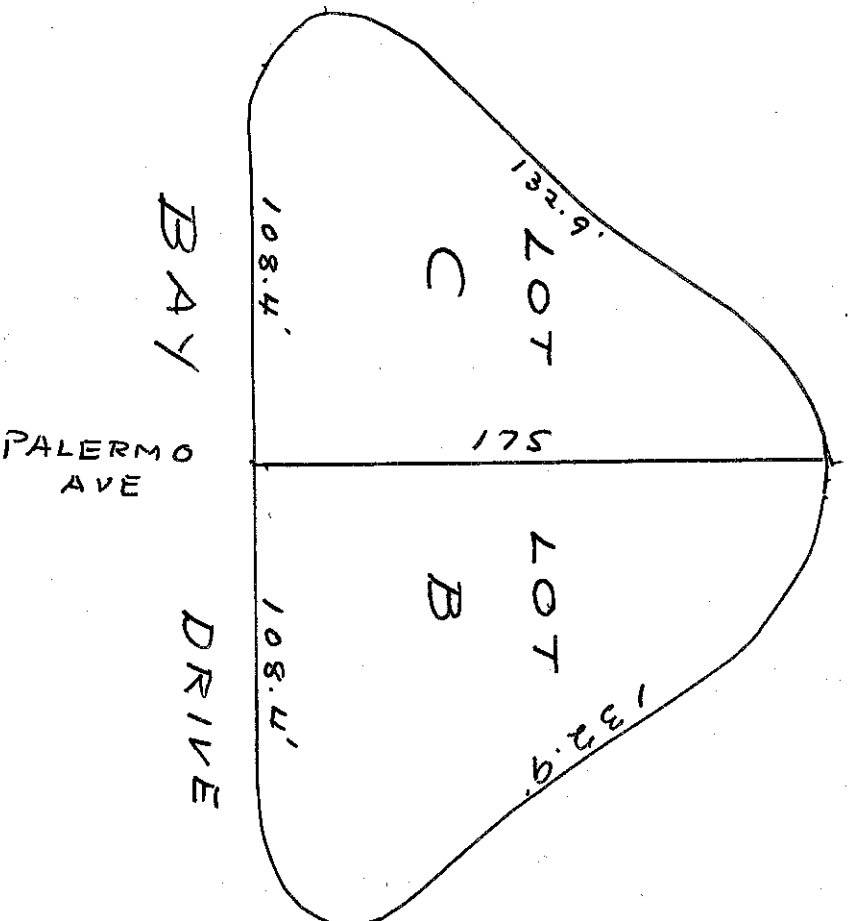
Gentlemen:

On January 9, 1952, I advised you that the construction of a swimming pool within the Town of Golden Beach would be a special recreation function and would not be authorized by the Charter of the Town. Also, that there could be no legal objection on the part of the Town to the building of a public swimming pool solely for the inhabitants of the Town if the same were undertaken by public subscription. Since then, public sentiment generally has changed and the Courts are inclined to permit municipalities to engage in functions of this type.

Under Section 6 of the Charter of Golden Beach, the Town may establish public parks, and under Section 27 the Town Council has full power to lay out and improve parks and to operate, maintain, repair and extend any and all municipal properties. Under Sections 34 and 35, the Town might issue bonds in an amount not exceeding 15% of the assessed value of the Town to purchase any park property.

I wish to qualify all of the above with the deed restrictions imposed upon all of the property in Golden Beach by the subdivider, which restrictions the Town Council in the Charter is authorized to enforce. These restrictions make all of the Town of Golden Beach a residential zone. However, the Town Council could grant a variance to permit a swimming pool.

The land commonly known as the North Park in Golden Beach is designated on the plat as Lots B and C and the size of this plat is substantially as follows:



The above-described lots were acquired from the sub-dividers and the restrictive covenants are still in effect, as well as the restrictive clause requiring a twenty-foot set-back from the front line of each lot. I believe if the proponents of the swimming pool would secure waivers from the owners of lots in Blocks 2, 3 and "F" and the Town would grant a variance and a referendum is called, Council might get this matter under way.

Very truly yours,

Francis M. Miller

Francis M. Miller
Town Attorney

Bal Harbour Village

INCORPORATED 1946

655 NINETY-SIXTH STREET
BAL HARBOUR
MIAMI BEACH 54, FLORIDA

December 19, 1957

Dear Friend:

As Honorary Chairman of the Committee, I would like to take this opportunity on behalf of the Bal Harbour Police and Firemen's Benevolent Association and the family of Police Lieutenant Robert J. Staab to express my gratitude for your wonderful contribution to the Lt. Robert Staab Fund.

It is very gratifying to everyone to know that the future of the children of Lt. Staab will be provided for only through the combined expression of generosity on the part of so many great people.

We thank you for your thoughtfulness and concern.

Sincerely yours,

Harry A. Brown

HARRY A. BROWN
Mayor

HAB:mew

United States Post Office

MIAMI 31, FLORIDA

December 18, 1957

Honorable Bert Hengeveld
Mayor of Golden Beach
Town Hall
Golden Beach, Florida

Dear Mr. Hengeveld:

As a result of your recent telephone report to my office, the subject of mail delivery service to patrons in Golden Beach was referred to the Superintendent of the delivery unit concerned, and he assures me that every effort will be made to effect delivery to the satisfaction of all concerned.

Carrier routes and lines of travel are arranged so as to provide the earliest possible hour of delivery to the greatest number of people. However, due to unforeseen incidents, it is not always possible to follow our well-planned schedules. The necessary use of substitute carriers and the seasonal increase in volume of mail handled often result in variable hours of delivery.

Your interest in referring this matter to my attention is greatly appreciated, and I wish to assure you of our continuing efforts to provide the best service possible. If I may be of further service to you please do not hesitate to let me know.

Yours very truly,

S. R. Valliere, Postmaster, Deceased

By: 
Assistant Postmaster